A PLEA FOR DEFENSIVE ARMES:

1570

OR,

A Copy of a Letter written by Mr STEPHEN MARSHALL

To a friend of his in the City, for the necessary vindication of himself and his Ministerie, against that altogether groundlesse, most unjust, and ungodly aspersion cast upon him by certain Malignants in the City, and lately printed at *Oxford*, in their *Mendacium Aulicum*, otherwise called, *Mercurius Aulicus*, and sent abroad into other Nations to his perpetual infamie.

In which Letter the accusation is fully answered. And together with that, the lawfulnesse of the Parliaments taking up Defensive Arms is briefly and learnedly asserted and demonstrated, Texts of Scripture cleared, all Objections to the contrary answered, to the full satisfaction of all those that desire to have their consciences informed in this great Controversie.

HOSEA 4. 1, 2, 3.

1. *Hear the word of the Lord, ye Children of Israel, for the Lord hath a controversie with the inhabitants of the Land, because there is no truth, nor mercy, nor knowledge of God in the Land.*
2. *By swearing, and* lying, *and killing, and stealing, and whoring, they break out, and bloud toucheth bloud.*
3. *Therefore shall the Land mourn, &c.*

LONDON,

Printed for *Samuel Gellibrand*, at the Brazen Serpent in Pauls Church-yard. 1643.

SIR,

YOur Letters brought not the first tidings of the continuance and encrease of those strange reports concerning me, they filled the City even while I was there, and I perceive, pursue mee into the Countrey: it is a lying spirit which God hath permitted to haunt me for my triall, as it hath done others of his servants before me. You know what a book *Bolsec* wrote of the life and death of M. *Calvin*: *Beza* lived to write a confutation of a book written of his renouncing his Religion, and turning Papist. And concerning *Luther*, the Priests had long reported, that he had his call from the Devill; and to confirm it, filled Italy with a rumour of his death, and that at his death he was carried away by the Devill soul and body: which they (good soules) divulged not to discredite the man, but *in gloriam Iesu Christi*, to the glory of Christ, and comfort of the godly. The like usage my self have lately met with in some degree: for being afflicted with a deep cold and distillation from my head upon my lungs, and some feverish distempers, my learned, loving, and carefull Physitian, finding that the too importune visits of my many loving friends, occasioned too much speech, and thereby too much expence of spirits, advised me to remove to the house of my Noble Lord of Warwick, where I should have more ayre, and lesse company: hereupon a report was immediatly spread about the City, that I was distracted, and in my rage constantly cried out, I was damned for appearing in, and adhering to the Parliament and Kingdome in this defensive Warre: which when I first heard, I looked upon as a calumnie invented by some simple adversary (though malicious enough to my person and ministery) who finding it the readiest way to reproach me, betook himself to this. But afterwards observing how studiously it was maintained, how laboriously propagated, how banded from Court to City, from City to Countrey, from England to forraign parts, *Mercurius Aulicus* printed it, and a great Officer of State having sent it into other Kingdomes with his Letters, assuring the truth of it, and that not nine dayes, no not a month

did allay it, I then perceived the plot was not so much to disgrace me, (for alas who am I, that they should trouble themselves so much about me) but through me to wound the Cause, in which my poore labours have been engaged. This rumour it seemes yet lives, and (as your letter confirmes) encreases; from my going down into the Countrey they have taken occasion not only to report me distracted, but dead; yea that I died crying out of my appearing in this Cause; and this is so confidently reported by some, that it is almost as confidently beleeved by others; even thousands, you say, which makes you earnestly to presse me to write unto you, whether I have not (at least) changed my former judgement about our defensive armes, and this not (as you professed) to satisfie your self, but that you might have something under my own hand to shew for the satisfaction of others. Sir, your ancient love to me, and present desires to vindicate me from these aspersions, but especially your care that the publick Cause might not suffer, do all command me to be your servant in this thing.

I know it will satisfie you, that I solemnly protest unto you, that in all these fourteen weeks keeping in, I never had an houres sickness, nor lost a nights sleep, nor had any distemper in my head, nor saw any cause of sorrow for my adhering to the Parliaments cause, but esteem it a great honour and mercy from God, that he should move his Excellency my Lord, to require my service in this great expedition; and that I have even therefore exactly followed the Doctors prescriptions, out of an earnest desire to be fitted for my work, that I might returne to my most honoured Lord, being fully resolved, if God say Amen to it, never to give it over, untill either there be an end of that work, or an end of my dayes. This I think will satisfie you, and it is possibly as much as you desire for the satisfaction of others, to have this under my hand. Take this concerning the cause, and concerning the report spread of me, what *Luther* said (of those above mentioned) concerning himselfe; *fateor & testor hâc meâ manu, &c.* I professe and testifie under my hand, that I entertained this fiction of my distraction and death, *lataque mente & hilari vultu*, very chearfully.

But since your love hath compelled me to put pen to paper, I shall compell you to read the largest letter that ever I wrote, being resolved to give you a full account both of my ground and warrant of entring

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upon my office, and how far I am from changing my judgement upon the present view of things.

When his Excellency vouchsafed to require my service (for, God knows, I offered not my self in this great work) there were but two questions (besides my care to walk aright in my Ministry) for my conscience to be resolved in. First, whether upon supposall of the truth of the Parliament votes, *viz.* That his Majestie seduced by wicked Councell, did levie warre against the Parliament; the Scripture did warrant them to take up defensive Arms. Secondly, Whether the Parliament was not mis-informed about such his Majesties purpose, and practice. The first is a meere question in Divinity. *viz. Whether a people, especially the representative body of a State, may (after all humble Remonstrances) defend themselves against the unlawfull violence of the Supream Magistrate, or his Instruments, Endeavouring (and that in matters of great moment) to deprive them of their lawfull Liberties.*

The second is a question meerly of matter of fact.

For the first, Before the beginning of these unhappy differences, I had both learned, and taught to this purpose. First, That it is agreeable to Gods will, that in all Countreys (especially when and where the people are numerous) Magistracie be set up, with a sufficiencie of power and authoritie to rule for the publick good; and that, even among them who are under the scepter of Christ, against the Anabaptists. Secondly, That among the divers kinds of lawfull governments, Monarchy, Aristocracy, and Democracy, no one of them is so appointed of God, as to exclude the other from being a lawfull government. Thirdly, That the bounds and limits of the Magistrates lawfull power of commanding, and the subjects necessary obeying, must be found, and taken out of the severall Laws, Customes, and Constitutions of those severall States, and Commonwealths: There are scarce two formes (especially of Regall government, in the world) but they differ one from the other, and that in matters of moment. Now I say, what the power of Magistrates in one Countrey differs from the power of Magistrates in another Countrey, and how the duty of Subjects differs in each, must be found only in the Laws of the respective places: that no mans right must be detained from him, that *Cæsar* should have rendred to him the things that are *Cæsars*, and all people

the things that are their own, the Scripture, and Laws of all nations doe determine. But whether (for instance in England) Ship-money be the Kings right, and so to be yeelded, or denyed; whether this house or inheritance be this or the other pretenders to it, must not be determined by any Law, but by the Law of England; go therefore to the Lawes, and learned Lawyers, and from them alone you shall learn what is the Prerogative of the Prince, and both the Duty, and Liberty of the Subject. But then fourthly comes in Religion, or the command of God, and binds the consciences of Magistrates to rule, and of Subjects to obey, according to those Lawes. And fifthly (in particular) of Subjects it requires these four things. First, to render to their Governours, next under God, the greatest fear, and honour, as being Gods vicegerents, as having the greatest beams of his authority put upon them, and therefore called Gods, and all of them the children of the most High. Secondly, Loyaltie to their persons, and office, that is, obedience according to Law, and patient subjection, when we cannot actively obey, willingly for conscience sake to submit to the penalty of the Laws, when for conscience sake we cannot observe the Laws themselves. Thirdly, maintenance with payment of all lawfull Customs, Tributes, and impositions. Fourthly, all manner of supplications, prayers, intercessions, and giving of thanks, their usefulnesse being great, their temptations many, their fall (like that of great Cedars) the crushing of many, and the shaking of the earth round about them; and all this we owe, nor onely to the King as Supream, but in proportion to all *inferiour Governours, who are sent by God also for the punishment of evill doers, and for the praise of them that do well, they being all the ministers of God for our good, and this is the first Commandment with promise.* But sixthly, if our Governours (whether supream, or inferiour) leave to rule according to Law, and set up their own will contrary to Law, there is no word of God acquitting them from sin in Gods sight, but severely threatning them for abusing his name, which they bear; nor any word binding the consciences of their subjects therein to yeeld them any active obedience. Thus farre we have all sides agreeing in all the particulars, except only a few Court flatterers, who (and that especially of late) have endeavoured to cry up Monarchy, as the only ordinance of God, for the Government of States; as if the other

forms of Aristocracy, and Democracy were not approved by him: Yea, and have cryed up the power and authority of princes to be such, as that they are absolved from all laws; and that whatsoever the Subjects enjoy under them, is only by the princes favour, which if they please to recall, how justly or unjustly soever, the subjects are bound to yeeld all unto them, and have no plea against their Prince, only in the Court of heaven; no law, no judge, no Court here below, having any authority to say unto him, What dost thou: This Divinity hath of late been preached; and, as sweet enchanting musicke, often chanted in the ears of our Princes: and no doubt was one great occasion of these heavie yokes we have of late groaned under. But these absurdities need no refutation. Egyptian Pharaoh claimed not the wealth of his people, till he had bought it. And Ahab himselfe, who durst not lay claime to Naboths vineyard, without purchase, or colour of confiscation, proclaims their ignorance sufficiently to the world. And among our selves, the constant proceedings of our princes, even in their most heavie illegall exactions, borrowing alwayes a colour of law, and the known laws of the land, enabling the meanest subject to maintain his Propriety, even in a two-penny matter, against his Soveraigne; And the innumerable verdicts, in all Courts, passing for the Subject, against the King; assure me, that unlesse God for our sins should give up our Parliament and State to the vassallage which this Popish Army would bring it to, we shall hear no more of this Divinity.

The only Question now is about passive obedience; they who cry down our defensive Arms, confesse that the Magistrate cannot require any thing but by law, and that the subject need not yeeld up his right but by Law; no tie lies upon the conscience of Naboth to let Ahab have his vineyard: but if a Saul will by force take away *our sonnes to eare his ground, and our daughters to be his Confectioners, Cookes, and Bakers; if he will by force take our fields, even the best of them, and give them their servants,* we have no help in that day, but *preces & lachrymæ*, to cry unto our God: but no liberty to defend our selves by Armes against such tyrannie; if we do (say they) we resist the ordinance of God, and must receive to our selves damnation.

But if this opinion be weighed in the ballance of Reason, how much lighter than vanity will it be found; how absurd a thing is it, that these

men wil allow me, if the king pretend Law in any thing I may try it out with him; and not when he or his Instruments come with open violence: If the king will sue me, and by pretence of Law seek to take away my coat, my house, my land, I may defend these from him with all the strength of Law I can; but if he come with armed violence to take away my liberty, life, religion, I must yeeld up these without making any resistance: I may secure that, which I have nothing but *lex terræ* to plead my propriety in, *viz.* my money, which I may give away, and in the mean time my liberty, life, religion, which are mine by the laws of God and man, I may not secure with a good conscience. True it is, if in case it do (upon circumstances duely weighed) appear that our receding from our right, and not resisting wrong, will tend to the promoving of a greater and a more generall good, or the preventing of a greater and a more generall evill, it is agreeable to right reason, and our Saviours rule, *Mat.* 5. 39. that we should both remit of our right, and submit to wrong, whether sued or ensued, whether to superiours or inferiours, or equals. But that men should give a liberty of defence in Law, and yet absolutely condemne defence against unlawfull violence, is such an ἄλογον, such an absurdity, as you shall seldome meet with.

But give me leave to weigh it a little further; if the Subjects defending themselves by Armes against the violence of oppressing Governours and their instruments, be unlawfull; either it must be because their Prince hath by conquest spoiled them of that liberty, which God and nature gave them at the first. Or secondly, because they or their Ancestors having submitted by Covenant and Consent to him to bee their supream Ruler according to Law, they must therefore be interpreted to have yeelded up all their Liberty so far as to be now unable with a good Conscience to defend themselves against his violence, though contrary to Law. Or thirdly, because God hath lifted up Princes so far above all mortall men, that all hands are by him bound from daring to resist them.

The first I finde not many pleading, that peoples being conquered, makes it unlawfull for them to defend themselves against the unjust violences of their Conquerours or his Successours: Most of them grant, that the peoples right is to designe the person of their Prince. And indeed it is the most absurd reasoning in the world, that because a strong

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robber hath over-powerd me in my house, in conscience I am tyed to be his servant or slave for ever. Because *Eglon* hath mightily oppressed *Israel* for eighteen years, it is unlawfull for them to shake off his yoke when they are able to resist him: Certainly, whatever of mine another takes by violence from me, let him keep it never so long, it is but *Continuata injuria*, a continued wrong, till I consent to his holding it; And all reason allowes me to recover it again as soon as I can. And I fear not to say, that had *William*, sirnamed the conquerour, taken and held this Crown only by his sword, and ruled over the Nation only by force, and all his successors to this day had no other claim to it, all the reason in the world would allow us to redeem our selves from that yoke, if we were able.

But though the sword begin the Conquest, yet many times the Consent of the people comes in, and makes their Conquerour their lawfull King; and then so far as by Covenant or Laws, they agree to be under him for the publike safety and good, they are bound up from any resistance. But that their parting with some of their liberty for the publike good should (upon the usurpation of him whom they have trusted) deprive them of that liberty which they never parted with, is most abhorring to reason. Suppose a free man indents with another to be his servant in some ingenious employment, as, suppose to attend upon his person; and expresly indents that his master shall not have power to command him to rub his horse heels, or fill his dung-cart, or the like; If now this master shall usurp, and command him to such sordid employment, and by force seek to compell him to them, some shew of reason (at least) there would be for the servant to plead that his master had forfeited all his power over him, and that he was free from his service, and might go seek another master; but no colour of reason that the servant hath now forfeited that immunitie from sordid and drudgery works that he first covenanted, and must thenceforth lie at his masters feet, as wholly prostitute to all his Imperious humours.

Secondly, can it be imagined, by reason that a people submitting to a lawfull government, should thereby be necessitated to that which may overthrow the end of all government, that is, inability to provide for their common safety. That whereas when they were free and under no government at all, they might by the law of nature defend them-

ſelves againſt injury: now having ſubmitted, though upon good conditions, they are utterly diſabled to defend themſelves, if he that ſhould be their Protector, would prove their Murtherer: If he who both in himſelfe and inſtruments ſhould be onely for the puniſhment of evill, and the praiſe of them that doe well, will goe, or ſend, or ſuffer a company of theeves or murtherers to goe in his name, and ſpoile and deſtroy them that do well: can their being ſubjects (in reaſon) deprive them of their defence allowed them by the law of nature? yea, were they not guilty of ſelf-murther in ſuffering ſuch a thing? For inſtance, ſome of our Hiſtorians relate of King *John*, that hee was tranſported with ſo deep a hatred againſt his Nobles and Commons, that he ſent an Ambaſſadour to *Miramumalin*, entituled the great King of Africa, Morocco, and Spain, wherein he offered to render unto him his Kingdome, and to hold the ſame from him by tribute as his Soveraigne Lord, to forgoe the Chriſtian faith (which he held vaine) and receive that of *Mahomet*; like enough ſome Court Chaplain (may be the Clerk that went on the errand) might warrantize the Kings conſcience, and tell him, that it was the more ſhame for them who profeſt the Chriſtian Religion, to compell him to it. But whether the King did lawfully or not, is not our queſtion; but whether the ſubjects might lawfully have reſiſted that attempt of his, and have ſtood for their Religion, Lives, and Liberty.

Thirdly, is it not quite contrary to reaſon, that whereas Kings and Rulers, nothing differing by nature from their meaneſt ſubjects, were at firſt conſtituted, and are ſtill continued for the protection, welfare, benefit, yea and ſervice of the people; and who therefore ſhould value their prerogatives, ſcepters, and lives, no further then they may advance the publick good; yet if they degenerate, and will be deſtroyers, the people ſhould ſuffer all to be ſpoiled, as if Kingdomes and people had been created by God for the will, pleaſure, profit, yea and luſts of Princes. As if a Pilot purpoſely appointed for the ſafe wafting over of paſſengers, who in ſtead thereof will daſh the ſhip againſt the rocks: Or a Generall purpoſely choſen (and to whom the Souldiers have therefore ſworne) for the ſafetie of the whole Army, ſhould yet turn the Cannon mouth upon his own Souldiers, or deliver them all up into the hands of the enemy: the paſſengers and ſouldiers, yea, the officers in

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the ſhip, and councell of war in the Army, ſhould be morally diſabled from doing any thing to prevent their own apparent deſtruction. By this reaſon the Biſhop of *Burgen* in the Councel of *Baſil* proved the Councel to be above the Pope, and a kingdome above the King, and ſaid they were but flatterers who taught otherwiſe.

And fourthly, doth not right reaſon as much abhor this, that whereas Princes are the publick fathers, and the people owe them the duty of children, that theſe children ſhould be prohibited from keeping their publick fathers from the greateſt evils: If our naturall father through ignorance or diſtemper ſhould go into a peſt-houſe, his children might by force fetch him out; or if in a raging paſſion go about to kill himſelf, wife, children, or any others, their children may diſarm them, yea we are tied not to ſuffer friend or foe to incurre the guilt of rapine or blood, if it lie in our power to hinder it; and (ſpeak to my reaſon) what evil have Princes deſerved, that if they go about to murder themſelves, ſubjects and children, not any of their people, no not the whole body politick ſhould have power to reſtrain them.

And if reaſon will allow this liberty of reſiſtance to private perſons (as even *Barclay* and *Grotius* the two great propugners of the ſacred and inviolable power of Kings, grant) how much more clear, honourable, and ſafe muſt ſuch a defence needs be, when done by the repreſentative body of a ſtate, who are Gods ordinance as well as kings, the miniſters of God ſent by him to be a terrour to evill, and a praiſe to them that do well. And in England are the higheſt Court of Judicature, and in whom his Majeſty confeſſes there is legally placed ſufficient power to prevent Tyranny.

Upon ſuch reaſons as theſe, not only Heathens have reſiſted their Princes, when bent to ſubvert their laws and liberties; but even moſt of the States of Chriſtendome, Papiſts aud Proteſtants when they have been put to it, have borne defenſive Armes againſt the unlawfull violences of their miſ-led Princes.

But now if notwithſtanding all this faire ſhew of reaſon Gods word hath determined the contrary, we muſt lay our hands upon our mouths, and ſhall no longer deſerve to be accounted the ſervants and ſubjects of Chriſt, then while we turne our reaſon (how ſpecious ſoever) out of doores, when once it offers to oppoſe the leaſt *Iota* of his revealed

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will. But where is this Scripture to be found? Certainly the good Subjects in the Old Testament knew it not. *Sauls* Subjects who swore that *Saul* should not kill *Jonathan*, nor pluck an haire from his head, though *Saul* had sworn by God he should die, knew no such Scripture: and I beleeve, that if the same men had bin about him when he protested the Priests of the Lord should die, they would not only have with-held their own, but *Doegs* hands from doing execution. *David* knew no such Scripture; nor the 600 men with him, that would have fortified *Keilah* against *Saul*. Nor those many choice men of the severall Tribes of Israel, among whom were some of *Sauls* brethren and kindred and chief officers, that fell to *David* (though *Saul* had proclaimed him Traitor) from day to day to help him, till it was a great host like the host of God: And all this while *David* was (though an innocent, yet) but a private man. And I think if *Elias* had took himself bound in conscience to render himself prisoner to the Captains which *Ahaziah* sent for him, he would not have killed them with fire from heaven: Neither would *Elisha* have taken such a rough course with the messengers sent to take his head. Nor would the eighty valiant Priests have thrust *Uzziah* by force out of the Temple, who was a King still, though a Leper. Neither can these examples be eluded with saying these were extraordinary persons; for first they were not all so; not the people that resisted *Saul*, nor the people that fell to *David*, nor the eighty Priests, unlesse in the extraordinarinesse and valiancy of their spirits: And for the extraordinary persons themselves, I know nothing why their examples may not be pleaded, for our Defensive Armes, as well as *Davids* eating the shewbread was pleaded by our Saviour for his Disciples rubbing the ears of corn, unlesse they can first shew, that their practice was against a known law, I mean, unlesse there were some known law that Innocents might not defend themselves, and one another against the unjust violence of their princes. Indeed we often read in the Old Testament of fearing the King, honouring the King, obeying the King, which their practice shews they understood to binde them to yeeld Honour, Loyaltie, Obedience, and Subjection to their Magistrates according to law; but not that they were bound to let them doe what mischief they pleased.

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Neither is there any more in the new Testament; there indeed are full and frequent exhortations to submit our selves to Magistrates, to be subject to the higher Powers which are ordained of God, & not to resist the Ordinance of God; but not one word that we may not resist the Tyrannie of men, no colour for it, unlesse any wil say that Tyranny is Gods Ordinance, that Tyrants bear the sword for the punishment of evil doers, are the Ministers of God, &c. full proof there is that we must be under the authority of Rulers, that is, under their Legall Commands; not one word of being at the dispose of their illegall wills: The word used there is ἐξουσία, derived *ab* ἔξεστι *licet*, to shew, as one observes, that the Text bindes subjects to obey Superiours not *ad libitum*, but *ad licitum*, not to obey their lawlesse lusts & wils, but their lawfull authority, without resisting. And surely it were strange, that if God had laid this yoke of subjection to the illegall will of Rulers, that neither the Jews under their Kings, nor under *Antiochus*, nor the Churches of Christ, nor the primitive Churches after once their Religion and Liberties were established by Laws, nor any of the Reformed Churches have took themselves concluded under it: which of all the Reformed Churches have not by their practice manifested, that Religion bindes them not to give their throats to be cut, or their liberties and states to be spoiled at the meer will of their Princes and their Instruments, contrary to their own Laws and Edicts? Were not the Lutheran Churches put to it, and defended themselves against the Emperour *Charles* the fifth, when the Smalchaldian confederacie was entring? Did not both the Divines and Lawyers being consulted with, agree, that the inferiour Magistrates might at some time resist the Superiour? Have not the States and Churches of the Netherlands done the like constantly against the King of Spain? the Protestants in France against their Kings? How often, and how lately have our Brethren in Scotland done the same? And although since the Reformation, England was never put to it, untill these unhappie differences, yet how constantly have our most learned Divines, Bishops as well as others, defended by their Pens, and our Princes and States by their aides of men and money, their distressed and oppressed Brethren and Neighbours in the like case? and now in our own sight both the King and States have acquitted the Scots, as having done nothing in their late defence, but what became good subjects. And what

the judgment of this Nation was in the time of popery is plain enough by their practice, in their usuall taking of Armes, and not leaving till they had compelled their Princes to ratifie their Priviledges and Charters, which through ill Counsellors they had infringed. And observeable it is, that because the Bishops and Clergie of those times saw the Princes go about to take down their pride, they were ever the most forward to justifie the proceeding of the State; and I suspect, in case the Tables were turned, and we had a King endeavouring to take down the Bishops, to take away Pluralites, Non-residents, &c. And a Parliament seeking to maintain them, the world would hear another Divinitie from many of them, who now cry out, that all our defence is damnable.

But lest I might be thought not to have vveighed the Scripture and reasons of both sides equally, I vvill give you a further account vvhat my thoughts vvere, and are concerning the Scriptures usually pleaded against this resistance, and the reasons deduced from them. The strongest hold they pretend to, is built upon *Romans* 13. 1. &c. 1. *Peter* 2. 13, 14. vvhere vve are enjoyned subjection to the Higher Powers, especially to the King as Supreme, and all know that *Nero* the then supreme Governour, was no better then a Tyrant. *Answ.* First, it is observable that this objection, and almost all the rest taken out of the Scripture, make the case of all Subjects in all Kingdomes to be alike; that although (as I touched before) there are hardly two Kingdomes in the world, but do differ in Lavves, Customes, and Constitutions, bounding the Kings authority, and the Subjects obedience, yet if any of these would change the bounds of his authoritie (for instance, If the King of *Denmarke*, or *Sweden*, or *Polonia*, vvould invade the libertie of his Subjects, and make himselfe as absolute, (not onely as the King of *England*, but) as the King of *France*, or *Spaine*, or the great *Turke*) this argument tyes all their Subjects from resisting; let any man shew an out-gate for the Subjects of the one, vvhich vvill not let out others, and for my part I will yeeld the cause: If they say these Kings took their Crowns upon those termes, and the Subjects indented to have liberty of resistance in such cases, then they grant that vvhere the Laws of the Kingdome allovv a liberty of resistance, resistance may be used notvvithstanding these texts, which is as much as vve plead for: If any people have covenanted in no case

to

to reſiſt, let them ſeek another anſwer, in the mean time theſe Texts tie not thoſe from reſiſting (by their own anſwer) who have not tyed themſelves.

Secondly, I appeal to their own judgements, whether theſe Texts forbid all forcible reſiſtance; Suppoſe a Prince in his rage ſhould go about to kill himſelf, or run ſome innocent man thorow with his ſword, might no man take the ſword out of his hand? and if it be lawfull for a private man to diſ-arme him of the weapons wherewith he would kill one, may not the State take ſuch weapons out of his or the hands of his Inſtruments, wherewith they go about to deſtroy all. Thirdly, both Texts lay the ſame charge for ſubjection to inferiour Magiſtrates, who likewiſe have their authoritie from God, though under the Superiour: As our Saviour ſaid to *Pilate*, who was but a Deputy, thou couldſt have no ἐξουσίαν, no power at all againſt me, if it were not given thee from above. And may no reſiſtance be made againſt the unjuſt violence of inferiour Officers; if there may, it is ſufficient; ſure I am, the Texts have not one word to allow the one, and prohibite the other. Fourthly, what one ſyllable in either of theſe Texts ſo much as looks towards the forbidding of a people to reſiſt Tyrannie, but onely that we reſiſt not the Magiſtrates in the rightfull exerciſe of their authority given them by God: the Texts ſpeak not of their perſons, but of their power; not of their dictates, but of their legall commands; no more of Kings than of an higher power in an Ariſtocracie, or Democracie, binding all perſons to ſubject themſelves to that Power and Authoritie which in the ſeverall places vvhere they live is the higheſt or ſupreme power.

Object. But *Nero* was a Tyrant.

Anſw. Not in his five firſt years; nor ſecondly, vvas he a Tyrant in all things; he had authoritie to rule according to Law, that was not his Tyrannie; his Tyrannie was, what he uſurped contrary to the Law: nor thirdly, vvere all his under-officers Tyrants, many of them could ſay with *Feſtus*, *Acts* 25. *It is not the manner of the Romanes to deliver any man to die, before that hee which is accuſed, have the accuſers face to face, and have leave to anſwer for himſelf*; and vvould accordingly diſmiſſe them, if they *had done nothing worthie of death, or of bonds.*

Object.

Object. 2. But doth not the thirteenth Chapter of the Romanes plainly binde up mens hands from resisting the supreme Power?

Answ. By the Supreme power must be meant, that power, which by the originall and fundamentall Constitution of any people and Nation, hath authoritie to make Laws which shall binde the whole Nation, to dispose of the estates and lives of any person or persons for the good of the Nation, to judge every person and persons in the Nation determinatively and conclusively, so as from that judgement there is no appealing, that power it self being subject to the judgement and authoritie of none but God: and *Aristotle* makes three distinct Branches of this power.

1. The power of making and repealing Lawes, a Legislative power.

2. The power of making War and Peace, of imposing Customes and Tributes.

3. The power of judging Causes and Crimes ultimately and decisively: where these three meet, and make their residence, whether in one person, as in absolute Monarchs; or in many, as in mixed Monarchies or Aristocracies; or in the body of the people, as in the ancient Romane government, there is the highest power which every soul is forbidden to resist: But now what ever be the higher power in England, most certain it is, that the Kings absolute or illegall will, is not the highest power, that hath neither power to make Laws, nor repeale Laws, that hath not power to acquit or condemne; nor may men appeal from the Kings lawfull judgement Seat to the Kings absolute will; but his legall will in the highest Court, or the King and Parliament may make Lawes or repeal Lawes, may engage the whole Nation in a War, and command both the Bodies and Purses of men unto the service, is the highest Court of Judicature, to which all my appeal, and from which none may appeal, and consequently against which there is no resistance. So that if men would read this Text of the thirteenth to the Romans, in plain English it amounts directly to thus much, Let every soul in England be subject to King and Parliament, for they are the higher powers ordained unto you of God, whosoever therefore resisteth King and Parliament, resisteth the Ordinance of God, and they that resist shal receive to themselves damnation. I would desire no other Text but this to confound the great Chaplains and Champions of the Antiparliamentary

mentary cause, or to strike terrour into their Loynes; if their long conversing with *God-dammee's*, hath not drawn such a Kawl over their hearts, that to them damnation is ridiculous.

Object. 3. But doth not Saint *Peter* say expresly, the King is Supreme, 1 *Pet.* 2. 12.

Answ. 1. It may as well be translated Superiour, as Supreme, the same word in the 13 of the *Romans* is translated Superiour, higher, not highest. 2. It is plain, the Apostle is not there constituting Governments, but giving direction to people to obey the Government they lived under; and the Text hath as much strength to enforce subjection to Aristocracy, as to Monarchy: If the people of *Pontus*, *Asia*, *Cappadocia*, *Bithynia*, were under an absolute Monarchy, as sometimes they were, being petty Kingdoms crumbled out of the great Monarchy of *Alexander*; and it may be did retain yet the same forme of Government, if not of their own, yet as lately received from the Romans; all that can be enforced from thence is, That the Apostle names the Kings of those particular Countries to be such as they were, and commands subjection to them, but no wayes tyes other kingdoms to be like unto them.

Object. 4. But we in England by our oaths, do acknowledge the King to be Supreme.

Answ. 1. We willingly grant Him to be Supreme, to judge all persons in all causes according to His Lawes, and the established Orders of the Kingdom, but not at, or by His absolute will or pleasure. 2. Whoever considers the title, scope, and words, both of the Oath and the Act of Parliament that enjoynes it, will easily see that both the Act and Oath were intended in opposition to that Supremacie which the Pope sometimes challenged and usurped in this Kingdome of England, and no more: And this to be the true intent and meaning of it, appears more fully by that explication or limitation of the Oath, made the next Parliament, 5. *Eliz.* Wherein it is declared, That that Oath made, 1. *Eliz.* shall be taken and expounded in such form, as it is set forth in an admonition added to the Queens Injunctions published, *Anno* 1. of Her Raign, viz. To confesse or acknowledge in Her, Her Heirs and Successors, no other Authority then that which was challenged and

lately used by King *Henry* the eighth, and *Edward* the sixth. And by this time you may see how little offensive these two (so much boasted) Texts are to our defensive Arms.

Object. Other places of Scriptures the adversaries seeme not much to confide in, therefore I will passe them over the more briefly; yet let us a little consider of them, *Matth. 26. 52. They that take the sword shall perish with the sword.* Where Christ seems to rebuke *Peter* for using defensive arms against the officers that came with a pretext of authority to apprehend Christ.

Answ. 1. This is not a reproof of the sword taken for just defence, but of the sword taken for unjust oppression, and a comfort to those that are oppressed by it; for *Origen*, *Theophylact*, *Titus*, *Euthimius*, interpret the meaning to be, That Christ doth not rebuke *Peter* for using defensive Arms, but to let *Peter* know that he need not snatch Gods Work out of his hand; for God would in due time punish those with the sword, that came thus with the sword against him; and that these words are a Propheſie of the punishment which the Roman sword should enact of the bloudy Jewish Nation; according with the like expression, *Revel.* 13. 10. *He that kills with the sword, must be killed with the sword, here is the patience, and faith of the Saints*, that is, This may comfort the Saints in their persecutions, that God will take vengeance for them. But secondly, Suppose it was a reproof of *Peters* using the sword; then the plain meaning is to condemn *Peters* rashnesse, who drew his sword, and never staid to know his Masters minde, whether he should strike or not; and so reproves those who rashly, unlawfully, or doubtingly use the sword: Adde this, That now was the hour come of Christs suffering, and not of his Apostles fighting, wherein Christ would not be rescued, no, not by twelve Legions of Angels, much lesse then by the sword of man; Therefore he saith to *Peter*, Put up thy sword, &c. But intended not that it should alwayes be unlawfull for his people to use the sword in their just defence, against unjust violence; for then he would never have commanded them, but a little before, that *he that hath two Coats, let him sell one and buy a sword.*

Object. Eccles. 8. 2. &c. *I counsell thee to keep the Kings Commandment*, &c. *He doth whatever he pleaseth*, &c. *Where the word of a King is, there is power, and who may say to him, What dost thou?* *Answ.*

Answ. 1. No man can understand it literally in all things, as if every commandment of the King must be kept, as if no actions of the King might be scanned, nor reproved by any man, as the Canonists say of the Pope, That if he lead thousands to hel, none may say, Why dost thou so? Surely, if *Saul* command to murder the Lords Priests, that commandment need not be kept? If *David* lie with his neighbours wife, *Nathan* may say, Why dost thou so? If *Ahab* murder *Naboth*, and swallow his inheritance, worship *Baal*, persecute and kill the Prophets of the Lord, *Elijah* may reprove him, notwithstanding this Text, *Who can say unto him what dost thou?* Secondly, The Text plainly enough interprets it self, Keep the Kings commandment, according to the oath of God, stand not in an evil thing against him, he hath power to do whatever he will. *Si scelus patraveris, effugere non poteris*, If you commit evil, you cannot escape punishment: where the word of a King is, there is power, *viz.* to punish them that do evil, and none to call him to account for doing it, and who can say unto him, What dost thou?

Object. Another text is, *Proverb.* 8. 15. *By me Kings reigne*, &c. Whence they plead, that because Kings and Princes receive their authority only from God, and the people at the utmost only designe the Person, but give him none of his power; therefore they may in no case take away his power from him.

Answ. 1. It saith no more of Kings, then of Nobles, Senators, and all other Judges of the earth: for it follows, *By me Princes rule, and Nobles, even all the Judges of the Earth.* Secondly, Although no such thing is in the Text, that the people give no power to the Magistrate, yet we will suppose it to be true, what then will follow more then this? That although they may not take from the Magistrate that power which God hath given him; yet they may defend themselves against such unjust violences, as God never gave the Magistrate power to commit. A woman hath power to designe the person of her husband to her self, but the authoritie of a husband is from God; now though the wife may not take away the husbands just authority, she may defend her self against oppression and injury.

Object. Some alledge Gods judgement upon the two hundred and fifty Princes, *Numb.* 16.

Answ. They were Rebels against their lawfull Governours, ruling exactly, according to the expresse will of God. And may all those perish with them who will plead for such as they are.

Object. Others alledge, 1 *Sam.* 8. 11. where the people are let to understand how they shal be oppressed by their Kings; yet for all that, have no just cause of resistance; for they shall have no other remedy left them, but *preces & lachrimæ*, crying to the Lord, Vers. 8.

Answ. But saith the Text so? Let us read the words a little, and you shall cry out in that day, *Because of the King, which you have chosen, and the Lord shall not hear in that day.* Is this to say, they have no just cause of resistance, nor no remedy left, but complaining? Indeed if the Holy Ghost had said, You shal not resist, nor fight for your liberties, &c. there had been some shew of reason for such a deduction, as some would extort from them; but yet, even then, Why might not the words have been a prediction of the curse of God upon the people, giving them up to such a base degenerate ignoble spirit, that they shall have no heart to stand up in the defence of their liberties and lives; rather then a prohibition of such resistance? The Lord foretels the people, *Ezek.* 24. 21. of calamitous times, in which he tels them, Verse. 24. That they should not mourn or weep; Will any man interpret this, as if God made it unlawful for them to mourn, or to weep, or was it not rather a prediction of their stupidity of spirit, when they should pine away under these calamities? so *Jere.* 27. God said they should put their necks under the yoke of the Kings of Babylon; Will any man thence gather, That other People are bound to put their necks under the yoke of a forraign enemy invading them? In one vvord, the plain meaning is, That this People should dearly rue it for casting off the form of Government which God had chosen for them; and vvhen they should mourn under their ovvn choice, God vvould not take the yoke from off their necks; and so it is a threatning of a judgement, not an imposition of a duty.

Object. But *David* durst not lift up his hand against the Lords Anointed, though he did tyrannically persecute him; yea, though it vvere sometimes in his povver to have killed him.

Answ. No man pleads that any *David* should kill the Lords Anointed;

ted; yet he may defend himself against his unjust violence, as *David* here did.

Object. But if they may not kill him, who can be secured? That in a battell (as at *Keynton* field) his bullet may not hit the Lords Anointed.

Answ. Is this their fault, who have so often petitioned his Majestie to withdraw himself from such dangerous wayes, as both the Parliament and his Excellencie hath done; if their petitions would have been received? or rather theirs, who (the worse Subjects they, and the more accursed they) have led Him into these unnaturall Warres, and do in a manner inforce His presence in them? Did they bear that affection to His Majestie as they pretend, They would with *Davids* men, *Swear, Thou shalt no more go out with us to battell, lest thou quench the light of Israel*, 2. *Sam.* 21. 17. We have heard much of the Cavaliers swearing, but I never yet heard that one of them had the honestie to swear this; Nay they are wronged in reports, if some of them have not sworn the contrarie.

Object. But *David* would not fight against him.

Answ. Indeed he never did fight against him, because his numbers never were considerable till towards the last, but he would have fortified the Citie of *Keilah* against him; And it had been a strange madnesse to have had 600. men with him, if his conscience would have suffered him to have done nothing but flee: sure one might more easily be hid then 600. But there is a plain text assuring us that *David* and his men would have done more then run up and down, if occasion had served, 1 *Chron.* 12. 16. and so forward. When divers of the children of *Judah* and *Benjamin* came to joyne with him, *David* went out to meet them, and said, *If ye be come to help me*, &c. But if ye come to betray me to my enemies, I being innocent, the God of our fathers look upon it, and rebuke it. Now mark their answer, the spirit came upon *Amasa* the chief Captain, and he said, *Thine are we* David, *and of thy side, peace be to thee, and peace to thy helpers*: then *David* received them, and made them *Captains of the band*: Can any man imagine their meaning was to run up and down the Countries with him, if they were able to cope with any number that *Saul* should bring, or send against them? especially adding this to it, That they fell to him from the severall Tribes

day by day, till his hoſt was like an hoſt of God. Now by theſe mens argument, if *Davids* hoſt had been fourtie thouſand, and *Saul* come againſt him but with five or ſix hundred, they muſt all have fled from him, and not have put it to a battell. *Credat Judæus Appella, non ego.*

Object. But the Fathers of the Primitive times knew no defence but *preces & lachrymæ* in all their unjuſt ſufferings.

Anſw. 1. It follows not, becauſe they knew it not, therefore we cannot know it: there might be ſpeciall reaſons of Gods diſpenſations towards them. 2. Their Liberties and Religion were not eſtabliſhed by Law; and this was the cauſe, ſaith *Abbot* Biſhop of Salisbury, why the Chriſtians in the Primitive times, before their Religion was eſtabliſhed by Law, *cædebantur non cædebant*, would rather be killed then kill: But after the times of *Conſtantine*, when Religion was eſtabliſhed, they ſhook off the yoke of perſecution from the Church, *& cædebant non cædebantur*, they did kill rather then be killed. 3. Where did any of the Fathers ever oppoſe this opinion, and condemn this practice, that is, declaring it unlawfull, eſpecially for a repreſentative body to defend themſelves againſt the unjuſt violence of their miſ-led Princes? I beleeve if any ſuch teſtimonies were to be found, the Parliament ſhould have heard of them before this time. 4. We want not examples of ſuch defence in the Primitive times, when once Religion was eſtabliſht by Edict of the Romane Empire, and *Licinius* the Emperour of the Eaſt (*legum violator maximus*, contrary to Law and his Covenant) would perſecute the Chriſtians, they defended themſelves by Arms, and *Conſtantine* the great joyned with them; And as *Euſebius* ſaith, held it his dutie, *infinitum hominum genus, paucis nefariis hominibus, tanquam quibuſdam corruptelis, è medio ſublatis, incolumes ſervare*: To deliver an infinite multitude of men, by cutting off a fevv vvicked ones, as the peſts and plagues of the time. The Chriſtians living under the Perſian King, and vvronged by him, ſought for help from the Romane Emperour *Theodoſius*, and vvere aſſiſted by him; and vvhen the King of Perſia complained that *Theodoſius* ſhould meddle in affairs of his Kingdome, *Theodoſius* anſvvered, that he did not only protect them becauſe they were ſuppliants, but was ready to defend them, and no way to ſee them ſuffer for Religion, it being the ſame with

their

their own. It ſeems they thought it as lawfull to help an innocent people againſt the oppreſſions of their own Prince, as for one neighbour to ſuccour another againſt theeves and robbers. The Macedonians obtained of the Emperour *Conſtantius*, four thouſand armed men to help them drive out the Novatians from Paphlagonia, the Orthodox aſſiſted the Novatians againſt the unjuſt violence, and were armed *falcibus clavis, & ſecuribus*, with ſithes, clubs and hatchets, and cut off almoſt all the Souldiers, and many of the Paphlagonians. At Conſtantinople the Orthodox defended *Paulus* his Election againſt *Macedonius* and his abettors, though aſſiſted with the Militarie Forces, and the Hiſtorian blames them onely for killing the Commander *Hermogenes*. *Juſtina Valentinianus* mother, infected with Arianiſme, commanded to baniſh *Ambroſe*, but the people reſiſted, and for a while defeated the plot of them who would have ſent *Ambroſe* into baniſhment. The inhabitants of Armenia the greater, profeſſing the Chriſtian Faith, were abuſed by the Perſians (among whom they lived) eſpecially for their Religion, they entred into a league with the Romanes for their ſafetie. You ſee here are ſome examples where the ancient Chriſtians uſed defenſive Arms, and I doubt not but ſuch as are well read in the ſtories of thoſe times might produce many more.

Ob. But there is one Doctour who goes about to prove by reaſon, that oppreſſed Subjects ſhould not defend themſelves againſt their Princes, though bent to ſubvert Religion, Laws, and Liberties, becauſe (forſooth) ſuch reſiſtance tends to the diſſolution of Order and Government, that is, to diſable Princes from ſubverting Religion, Law, and Liberty (which is the very diſſolution of all Order and Government) tends to the diſſolution of all Order and Government; as if hindring a man from pulling down his houſe, were the pulling down the houſe: As if the hindring the Pilot from daſhing the Ship againſt the rock, tended to daſh the Ship againſt the rock; If any man elſe ſee any colour of reaſon in this reaſon, I deſire them to make it appear, for, for my part I can ſee none.

And indeed the caſe is ſo clear, that moſt of them who cry down defenſive Arms, though they uſe ſuch Scriptures and Arguments to work upon the conſciences of people, yet when they come to diſpute it,

it, will hardly endure to have the Question rightly stated, (as being unwilling to dash against the rock of most learned Divines, whether Protestants or Papists, and, I think, of almost all Politicians) but fall to discusse matters of fact, charging the Parliament with invading the Kings just Prerogative, usurping an exorbitant power and authority, &c. yea, His Majestie in all his Declarations insists onely upon this, never suggesting that in Conscience they are prohibited to defend themselves, in case he should violently invade their Liberties, yea, expresly grants, that there is power sufficient legally placed in the Parliament to prevent Tyrannie.

And therefore now I leave the case of Divinitie, and shall more briefly give you an account what satisfied me in the second, I mean matter of fact, that His Majestie being seduced by wicked counsell did levie war against the Parliament: My great evidence was, the Parliament judged so; the judgement of a Parliament of England was never questioned till now by a people of England: all Patents, Charters, Commissions, Grants, Proclamations, and Writs of the Kings of England, receive their judgement, and are often repealed and made null by a Parliament: all controversies betwixt the King and Subject receive their finall determination in the Parliament; the judgements of all other Courts are ratified or nullified by a Parliament. I have heard some wise men say, That a Parliament in England (like Pauls spirituall man) judgeth all, and it self is judged of none; and therefore if I should give you no other account of my entring upon my Office in the Armie (which was not to fight, nor meddle in the Councell of War, but onely to teach them how to behave themselves according to the Word, that God might be with them) should I (I say) give no other account but the determination of that wise assembly, I should be acquitted by indifferent men. But although I had learned, that no dishonourable thing should be imagined of that Honourable Assembly, yet I held it my dutie not to yeeld blinde obedience, or go by an implicite Faith, but search whether the things were so; and the rather, because both sides have appealed to heaven, to that God, who no doubt in due time will clear the righteous cause: And upon my search these things were quickly apparent.

It

It was very cleare, that the persons too much prevailing with his Majesty, had long before this Parliament, a designe for over-throwing our Laws, enslaving our Liberties, and altering our Religion; and it had so far prevailed, that we were *tantùm non* swallowed up; and when through the good providence of God, this Parliament was called, and many hopes conceived, that now his Majesty seeing the mischief of adhering to such ill counsellours, would for the time to come be wholly guided by the great Councell of his Kingdome: alas it soon appeared that the same kinde of Counsellours were still most prevailing, insomuch that (soon after the pacification with Scotland) the Northern Army should have been brought up to London, as appeares by the very oathes of some who should have acted it, a thing then thought so pernicious, that not only the chief Actors fled beyond the Seas, but many reall Courtiers earnestly solicited their friends in both Houses, that this their inexcusable errour might be passed over, and now to begin upon a new score. But that which made me the more suspect their prevailing with his Majesty was, that, the horrid Rebellion broken out in Ireland, the Rebels pretending his Majesties and the Queenes Commission for their warrant, it was at least three moneths after, before they were proclaimed Traytours, and when it was done, no Copies of the Proclamations to be got for love or money; whereas when the Scots were proclaimed Rebels and Traytours, it must speedily be published in all the Churches of England. I must acknowledge, this made me to think, that the Parliament had just cause to be jealous of great danger. But when His Majesty returned from Scotland, discharged the guard which the Parliament had set for their own safety, and an other denied, except under the charge of the Queens Chamberlain, and His Majesty himself entertained divers Captaines as a super-numerary guard at Whitehall, went to the House of Commons after that manner, to demand the five members to be delivered unto Him; The Earle of Newcastle (now General of the Armie of Papists in the North) sent to Hull, attempting to seize it and the Magazine there, his Majestie, according to the Lord *Digbies* letters, retiring from the Parliament, to a place of strength; and the Queen going beyond Sea to raise a partie there; I must have shut my eyes, if I had not seen danger, and thousands of thousands would have thought the Parliament altogether senslesse, if they had not importuned his

Majesty (as they did) to settle the Militia, all former settlings of it by Commissions of Lievtenancy being confessedly void: His Majestie refusing this in that manner as they thought necessary for security, they voted the putting of it into the hands of persons whom they thought the State might confide in (though alas many of them since have discovered to us how vaine is our hope in man) And secured the Town of Hull, and the Magazine there: soon after this his Majesty in the north seised New-Castle, and under the name of a guard begun to raise an army; all this was done before the Parliament voted that his Majesty seduced by wicked councell, &c. And when his Majesties Army was more encreased, he then declared that he was resolved by strength to recover Hull and the Magazine, and to suppresse the Militia: After this indeed the Parliament began to make vigorous preparations by their propositions for Plate, Money, Horse, &c.

This being the true progresse and state of the businesse, I saw clearly all along, the Kingdome and Parliament were in danger, that it was therefore necessary to have the Militia and Navie in safe hands, which His Majesty also acknowledged; That he refused to settle it for a time in the way they conceived necessary, and that by the judgement of both Houses when they were full, they had power by the fundamentall Laws of the Kingdome to settle it, especially for a time, upon His Majesties refusall; That His Majesty raised force, and declared it was to suppresse the Militia, and recover Hull and the Magazine, is as clear, and made pregnant preparations both at home and beyond the Seas: And the civill Lawyers say, that pregnant preparations are the beginning of a War. The onely Question remaining was, whether the Parliament did justly in ordering the Militia, and securing the Magazine and Navy, in a confessed time of danger upon such his Majesties refusall.

What the Kings power and perogative, and what the Parliaments power was for securing the Militia in time of danger according to the Laws of England, was out of my profession, and in great part above my skill; But certainly unlesse I vvas bound rather to beleeve the Votes of the Papists, and other Delinquents about his Majesty, vvho hitherto had prevailed to bring upon us all the miseries that vve have laine under, then the Votes and Judgements of the highest Court of Judicature in England,

England, (which ſo far as I have heard, was never by Common Law or Statute Law preſumed to be guilty of, or charged with the overthrow of the Kings prerogative, or the Lawes and Liberties of the Subjects untill now, and who have given us ſo much evidence of their wiſdome, watchfulneſſe and faithfulneſſe) I vvas bound to be concluded under their Teſtimony, and ſo conſequently that His Majeſty was ſeduced,&c. And ſurely, if men vvho ſerve upon Juſtice betvveen Prince and People, party and party, in matters of Life or State, may reſt in the reſolution of the learned Judges, that this, or that is law, vvhen themſelves knovv it not; vvell might I reſt in the judgement and reſolution of that Court, which is the Judge of all the Judicatures in the Land. And in caſe I were unſatisfied, to whom ſhould I appeale, in whoſe judgement I might more ſafely reſt, eſpecially when I ſavv their Vote agreeable to that which is the ſupreme Law of all Nations; namely, that publick ſafety is the higheſt and deepeſt Law, and that it is requiſite that every State have a povver in time of danger to preſerve it ſelf from ruine? and no Lavv of England more knovvne, then that the Parliament is the higheſt Court, from vvhence there is no appeal. This ſatisfaction I had then, and ſince by the Declarations and Remonſtrances of the Parliament, concerning theſe Military matters, and by other Books lately publiſhed, it is moſt apparent that they have not uſurped upon His Majeſties prerogative, but what they have done is agreeable to the practice of former Parliaments, In putting the *Militia*, Forts, and Navy into ſafe hands in theſe times of danger: And that it vvas therefore lavvfull for them, yea, neceſſary to take up theſe Defenſive Armes, and conſequently to call in for ſupply from all ſuch vvho ſhould ſhare with them in the benefit of preſervation, and to diſable ſuch from hurting them, who were contrary minded. I ſpend no time to anſwer the Objections that ſome make, that His Majeſty could not tarry at London with ſafety of His Perſon, that the Lords and Commons that are vvith Him, were driven away by popular Tumults, and could not enjoy freedome of their Votes, &c. Becauſe I thinke theſe things are now beleeved by none, but ſuch as would beleeve no good of the Parliament, though one ſhould riſe from the dead again.

Thus Sir, you have a juſt account of the grounds that firſt induced

me to owne this Cause; you desire to know whether I see not yet reason to repent of what I have done: I confesse I never undertooke any thing but I saw cause to repent of my miscarriage through the corruption which cleaves to me, and great cause I have to bewaile my many failings in this great Worke: but for the Worke it self, I as solemnely professe, I never saw cause to repent of my appearing in it; the Cause is a right cause, the Cause of God; my call to it, a cleare call, and though the Work prove harder and longer then at first it was thought, yet the Cause is far clearer then at the first.

The work indeed is harder then I expected, for whoever could have beleeved he should have seen in England so many Lords and Commons even after their solemne Protestation, to defend the Priviledge of Parliament, and their owne Vote; that His Majesty seduced by wicked councell, intended War against the Parliament, so shamefully to betray the trust committed to them? so many of the Protestant Profession joyning with an army of Papists (under pretence of maintaining the Protestant Religion against a Protestant Parliament) to fight themselves into Popery? so many unworthy Gentlemen fight to destroy a Parliament, and thereby fight themselves and posterity into slavery? so many Papists in Armes contrary to so many knowne Lawes, and armed with Commission, to disarme Protestants contrary to their knowne Liberties, and the Protestants who exceed their number an hundred fold not to rise as one man to subdue them? And who would have believed that he should have seen after all this an Army raised by the Parliament in such an extremity, for such an end, (having hazzarded their lives, undergone all these hardships, performed all these services, and whose untimely disbanding may prove our irrecoverable ruine) straitned for want of pay while England is worth a groate. Behold, regard, and wonder marvellously, I relate a thing which many will not believe though it be told unto them. *Hab.* 1. 5.

But though the Worke be harder, the case is still clearer, both in regard of the intentions of the Parliament, and also of their adversaries. For the Parliament, multitudes would not believe, but that they had further aimes then their own and the publique safety, that they intended if not to depose His Majesty, yet by force of Armes to compell

pell him to that which is not fit for a King to yeeld to; But now by their frequent petitioning of his Majestie, especially by the reasonablenesse of their late Propositions and Instructions, wherein they desire a present disbanding of all Arms, even before any other bills were past, and were willing to have the Ports, Forts, and Ships, &c. of the Kingdome resigned up into his Majesties hands, provided onely that in these times of dangers they might, *pro hac vice*, be put into the hands of such as the State might confide in; The sincerity of their intentions are now so plain, that I think Malignity it self cannot but be convinced of them.

And the intentions of the contrary councels are as plain, their mask now falling off, and their designe more then ever discovered to be the overthrow of Parliament, Liberty, Laws and Religion. For at first we had Declarations to preserve all the just priviledges of Parliament, but now we see men proclaimed Traytors for executing the Commands of the two Houses, and the two Houses themselves, if not in direct, yet in equivalent termes proclaimed Traytors, yea, denyed to be a Parliament, because his Majestie withdraws himself, and after multitudes of Petitions refuses to returne, and because many of their Members have deserted them, and are protected by his Majestie from the Houses who have sent for them. Yea, they are required to recall their Votes as illegall, and that such as they have fined and imprisoned may bring their *Habeas Corpus* to be tried in an inferiour Court. Yea, people provoked to scorn them, and thereupon multitudes not fearing to trample upon, and cast as vile scorn and contempt unjustly upon that thrice-honorable Court, as ever was cast justly upon the Commissaries Courts.

We have heretofore been assured that the knowne Lawes of the Land should be the only rule of government: but (to name no other instances) now we see the Commission of Array to be justified to be Law, which the Parliament hath not only declared, but demonstrated, and the Countries (where ever it hath prevailed) found to be the utter destruction of all the Lawes made for the Subjects liberty.

Heretofore Proclamations were put out that no Papists should be entertained into his Majesties Army, because the resolution was

to maintaine the Proteſtant Religion; But now we ſee them armed, and armed with Commiſſion, and Proteſtant Doctors in their writings juſtifying it; and being armed dare profeſſe their Religion publickly, ſet up their maſſe in the ſecond City of the Kingdome, cutting in pieces, and burning Bibles, and as multitudes of reports come from beyond the Seas, (and the ſupplies that come from thence confirme it) all the Papiſts in Chriſtendome contributing to this War as to the Catholicke cauſe. Heretofore the Libertie of the Subject ſeemed to be ſtood for, yea defended againſt the Parliament, (as if it were poſſible the repreſentative body ſhould enſlave it ſelf) and in the meane time while theſe things are promiſed, hundreds, yea thouſands of his Majeſties Subjects plundred, with His Majeſties Proclamations againſt plundering, in the hands of diverſe of the plunderers, And their perſons led away in Ropes and Chaines like Turkiſh Gally-ſlaves, and many caſt into Priſons and Dungeons, only for defending themſelves againſt robbers and murderers abuſing His Majeſties Name: where their Jaylours uſe them worſe then the Turkes doe their Chriſtian ſlaves, or one that hath any thing of man in him could uſe a dog.

And vvhen all theſe things are now done, the Parliament not only ſitting, but having ſo much ſtrength in the Field, what can vve expect when theſe men have prevailed, vvhen at the putting on of their harneſſe their uſuall language is nothing but blaſphemy againſt God, (not to be mentioned) and againſt His people, calling all that adhere to his and the Kingdomes Cauſe, Parliament dogs, and Parliament rogues? what language will you expect to heare if once they come triumphantly to put it off? If while the event is uncertaine they cut us out ſuch kinde of Lavves, Liberties, and Parliament priviledges as theſe are, if GOD for our ſinnes ſell us into their hands, thinke if you can, vvhat Lavves Liberties, and Parliament-priviledges our poſteritie ſhall finde recorded in our bloud: for our ſelves, alas, *who ſhall live when God doth this?* Nay, *who would deſire to live?* I vvould rather vvith holy *Auſtin* make it my humble ſuite to that GOD vvhoſe are the iſſues of life and death, that Hee vvould rather take mee from the Earth, then let mee live to ſee His deare Church, and my native Countrey, delivered into

into the hands of ſuch blaſphemous and barbarous men.

So that in ſtead of repenting and withdrawing from the work, I could wiſh that my voice were able to reach into every corner of the kingdome, and that I could awaken all people to ſee the danger and miſery that is flowing in upon them. That every ſoul might be quickened up to make his owne, and help to make Englands, bleeding, dying Englands peace with God, and every one who hath any intereſt in Heaven to cry mightily unto that God in whoſe hand the hearts of Kings are, and who rules in the Kingdomes of men, that the power of our God might be great towards us, in turning away theſe imminent calamities, and turning the heart of our King towards His great and faithfull Councell, and reſcuing Him out of the hands of this Generation of men who delight in blood. Our God hath not yet ſaid, Pray not for this people: but if the Lord ſay he hath no delight in us, Righteous art thou O Lord, and juſt are all thy judgements: onely let us not be acceſſary to our own deſtruction, and the deſtruction of ſo flouriſhing a Kingdome; let us not through our covetouſneſſe or cowardize, ſelfe-love or ſloth, betray our Lawes, Liberties, Lives, Religion into the hands of men, from whoſe hands we befoole our ſelves if we expect more mercy, or leſſe miſery, then the poore Chriſtians of Conſtantinople found with the Turkes, when thankes to their owne niggardlineſſe (O let it never be ſo with England) they fell into their hands. Oh let us labour to prevent their Swords thruſting into our bodies, and their Swords into our Soules, let our God doe with us what he vvill, let us doe vvhat vve ſhould, and vvhile vve have any money in our purſes, any blood in our veins, or any ſpirits in us, devote all to the maintenance of this rightfull cauſe: and if vve periſh, vve periſh.

Nor doe I feare to be for this condemned by any right diſcerning man as an incendiary to a Civill War, I knovv the miſeries of a Civill War: Warre is the ſevereſt of all Gods judgements, and Civill Warre the cruelleſt of all Warres: vvhere is the greateſt hatred, the deepeſt treachery, the moſt unnaturall butcheries, where the father murders the ſonne, the ſonne the Father, the brother embrues his hands in his brothers blood, and vvhoever gaines, all are

looſers:

Your loving friend,

Stephen [illegible]hall.

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